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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,546	08/27/2003	Anindya Deb	199-0325	5520

7590 03/05/2004

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EXAMINER

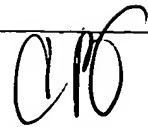
GUTMAN, HILARY L

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/649,546	Applicant(s) DEB ET AL. 	
	Examiner Hilary Gutman	Art Unit 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/15/03, 10/10/03, 12/1/03</u> | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 9/15/03 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Objections

2. Claims 9-25 are objected to because of the following informalities:

In claim 9, on lines 3-4, "said grab handle" should apparently be "said grab handle assembly" to refer back to line 2.

In claim 10, line 4, "grab handle" should be "grab handle assembly".

In claim 11, line 4, "grab handle" should be "grab handle assembly".

In claim 12, line 5, "grab handle" should be "grab handle assembly".

In claim 13, line 7, "grab handle" should be "grab handle assembly".

In claim 14, line 7, "grab handle" should be "grab handle assembly".

In claim 16, line 4, "grab handle" should be "grab handle assembly".

In claim 17, line 4, "grab handle" should be "grab handle assembly".

In claim 18, line 4, "grab handle" should be "grab handle assembly".

In claim 19, line 5, "grab handle" should be "grab handle assembly".

In claim 20, line 7, "grab handle" should be "grab handle assembly".

In claim 21, line 7, "grab handle" should be "grab handle assembly".

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In claim 22, line 4, "grab handle" should be "grab handle assembly".

In claim 23, line 4, "grab handle" should be "grab handle assembly".

In claim 24, line 4, "grab handle" should be "grab handle assembly".

In claim 25, line 4, "grab handle" should be "grab handle assembly".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer in view of Moore et al., Bohm et al., and Maruyama et al.

Fischer (6,106,055) discloses a motor vehicle comprising: a vehicle body 18; a headliner 16 disposed in an interior of the vehicle body, the headliner having a surface facing the interior;

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and a grab handle 24 having ends and being non-rotatable. A fastener 42, 44, 46 extending through each end of the grab handle and the headliner. The grab handle comprises an inner strap extending longitudinally and an outer cover disposed over a majority of a length of the inner strap. An end cap 34 covers each end of the outer cover. The grab handle has ends disposed longitudinally along the headliner and mounted to a surface forming the headliner. The grab handle assembly is disposed along the vehicle roof near a door opening.

Fischer lacks specifically the inner strap being metal and the outer cover being plastic.

Moore et al. (3,977,054) teach a grab handle for a motor vehicle comprising a metal (steel) inner strap 38 and a plastic outer cover 26 (as seen in the figures).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the inner strap and outer cover of Fischer to be made of metal and plastic, respectively, as taught by Moore et al. in order to optimize the strength and flexibility of the grab handle.

Fischer, as modified, lacks the grab handle being disposed in a recess of the headliner extending away from the surface toward the vehicle body wherein the ends or end caps of the grab handle are disposed within the recess.

Bohm et al. (6,367,872) teach a motor vehicle comprising: a vehicle body; a headliner disposed in an interior of the vehicle body, the headliner having a surface facing the interior and a recess (Figure 11) extending away from the surface toward the vehicle body; a grab handle 21 having ends disposed in the recess. A fastener 22 extends through each end of the grab handle and the headliner. An end cap, generally 20, is disposed in the recess. The handle has ends

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disposed longitudinally within the recess of the headliner and mounted to a surface forming the recess of the headliner.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a recess as taught by Bohm et al. within the headliner of Fischer and further to have provided the ends or end caps of the grab handle of Fischer, as modified, within the recess in order to conveniently dispose the handle out of the way to create an aesthetically pleasing appearance within the interior of the vehicle.

Fischer, as twice modified, lacks the grab handle disposed at all of a front portion, a rear portion, a driver side portion, and a passenger side portion of the vehicle.

Maruyama et al. (6,419,307) teach a motor vehicle having a vehicle body 5, a headliner 2, and grab handles 3 (Figure 7) wherein the grab handles can be positioned at both front and rear portions as well as on both sides of the vehicle including a driver side and a passenger side.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the grab handle of Fischer, as twice modified, at front and rear portions of the vehicle as taught by Maruyama et al. as well as at either side of the vehicle (driver side and passenger side) as taught by Maruyama et al. in order to provide assistance to all occupants of the vehicle be it the driver, a front passenger side occupant, a rear driver side occupant, or a rear passenger side occupant.

6. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bohm et al. in view of Moore et al. and Maruyama et al.

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Bohm et al. (6,367,872) disclose a motor vehicle comprising: a vehicle body; a headliner disposed in an interior of the vehicle body, the headliner having a surface facing the interior and a recess (Figure 11) extending away from the surface toward the vehicle body; a grab handle 21 having ends disposed in the recess. A fastener 22 extends through each end of the grab handle and the headliner. An end cap, generally 20, is disposed in the recess. The handle has ends disposed longitudinally within the recess of the headliner and mounted to a surface forming the recess of the headliner.

Bohm et al. lack the handle being non-rotatable and having an inner strap and outer cover.

Moore et al. (3,977,054) teach a motor vehicle comprising: a vehicle body (Figure 2); and a grab handle 10 having ends and being non-rotatable. The grab handle comprises a metal inner strap 38 extending longitudinally and a plastic outer cover 26 disposed over a majority of a length of the inner strap. An end cap (not numbered but seen in Figure 2) covers each end of the outer cover. The grab handle is applied to the vehicle interior and is disposed above a rear window for passenger egress from a rear seat (Figure 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the handle of Moore et al. upon the vehicle of Bohm et al. in place of the rotatable handle of Bohm et al. as an obvious design choice since structurally both handles function in a similar manner to aid passengers egress from the vehicle.

Bohm et al., as modified, lack the handle being positioned at all of a front portion, a rear portion, a driver side portion, and a passenger side portion.

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Maruyama et al. (6,419,307) teach a motor vehicle having a vehicle body 5, a headliner 2, and grab handles 3 (Figure 7) wherein the grab handles can be positioned at both front and rear portions as well as on both sides of the vehicle including a driver side and a passenger side.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the grab handle of Bohm et al., as modified, at front and rear portions of the vehicle as taught by Maruyama et al. as well as at either side of the vehicle (driver side and passenger side) as taught by Maruyama et al. in order to provide assistance to all occupants of the vehicle be it the driver, a front passenger side occupant, a rear driver side occupant, or a rear passenger side occupant.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hilary Gutman whose telephone number is 703-305-0496.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 703-308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9. **Any response to this action should be mailed to:**

Assistant Commissioner for Patents

Washington, D.C. 20231

or faxed to:

(703) 872-9326, (for formal communications intended for entry)

or:

(703) 746-3515, (for informal or draft communications, please clearly label

“PROPOSED” or “DRAFT”).

Hilary A. Gutman
Hilary Gutman
3612
3/21/07